



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,982	01/13/2004	Ali Saffari	29757/P-918	2263
22434	7590	07/03/2007		
BEYER WEAVER LLP P.O. BOX 70250 OAKLAND, CA 94612-0250			EXAMINER JONES, SCOTT E	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 07/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/755,982

Applicant(s)

SAFFARI ET AL.

Examiner

Scott E. Jones

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/13/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/11/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/30/04, 1/31/05, 2/1/05.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☒ Other: See Continuation Sheet.

Continuation of Attachment(s) 6). Other: IDS:5/6/05,11/28/05,2/6/06,2/21/06, 3/20/06, 10/2/06.

DETAILED ACTION

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-48 are rejected under 35 U.S.C. 102(b) as being anticipated by Marnell, II ("Marnell") (U.S. 5,393,057).

Marnell discloses an electronic gaming apparatus including an electronic primary gaming device, such as a slot machine and an electronic secondary gaming device, such as a bingo-type device. The slot machine is electrically coupled to the electronic secondary gaming device, and the slot machine is responsive to the occurrence of selected events, such as coin/credit inputs and slot machine reel combinations, for input into the secondary gaming device. Consequently, the occurrence of symbols obtained on the slot machine reels produces selection of a space in the bingo matrix of a bingo-type gaming device. A plurality of slot machines can be electrically coupled, to a common bingo gaming device for simultaneous play of a single bingo game by a plurality of players, each of whom is playing his or her own individual slot machine game. Moreover, players may play for a progressive prize which is incremented as a function of, or in proportion to, the coin/credit in to the slot machines. Marnell requires a minimum bet to be eligible for the progressive prize. A player obtains a progressive prize by filling or partially filling a bingo matrix. Furthermore, a player may obtain an award based upon the outcome obtained in the base slot machine game. Marnell additionally discloses:

Regarding Claims 1, 10, 19, 26, 33, and 42:

A method for conducting a wagering game and an associated progressive jackpot, comprising:

Art Unit: 3714

- receiving a deposit of an amount of a medium of currency by a player at a gaming unit (4:19-20, 46-56, 5:39-55, 6:43-47);
- receiving input for a player's wager on an occurrence of the wagering game at an input device of the gaming unit (4:19-20, 46-56, 5:39-55, 6:43-47);
- subtracting the amount of the player's wager on the occurrence of the wagering game from the player's available credit at the gaming unit in response to receiving the input for the player's wager, wherein the player's available credit corresponds to the amount of the medium of currency deposited at the gaming unit (4:19-20, 46-56, 5:39-55, 6:43-47);
Although Marnell does not recite the exact language, Marnell inherently subtracts the amount of a player's wager and the progressive amounts, otherwise, Marnell would not operate as intended.
- comparing the amount of the player's wager on the occurrence of the wagering game to a minimum wager amount (4:19-20, 46-56, 5:39-55, 6:43-47);
- subtracting a progressive jackpot wager amount from one of the player's available credit and the credits subtracted from the player's available credit if the player's wager is greater than or equal to a minimum wager amount (at least 3 coins/credits for instance) (4:19-20, 46-56, 5:39-55, 6:43-47); Although Marnell does not recite the exact language, Marnell inherently subtracts the amount of a player's wager and the progressive amounts, otherwise, Marnell would not operate as intended.
- adding the progressive jackpot wager amount to a progressive jackpot pool for the progressive jackpot (4:63-5:4);
- determining an outcome for the player for the occurrence of the wagering game (6:14-27); and

Art Unit: 3714

- awarding at least a portion of the progressive jackpot pool to the player if the player's outcome for the occurrence of the wagering game is a predetermined progressive jackpot winning outcome and the player's wager is greater than or equal to the minimum wager amount (6:14-27 and 10:7-26).

Regarding Claims 2, 11, 20, 27, 34, and 43:

A method for conducting a wagering game and an associated progressive jackpot in accordance with claim 1,

- wherein the wagering game is a multi-player wagering game wherein each player has a unique game array of game indicia (bingo card/bingo numbers) for the occurrence of the wagering game and individual game indicia are sequentially selected from the range of game indicia, wherein one of the players wins the occurrence of the wagering game by matching a predetermined game winning pattern of game indicia on the player's unique game array with the sequentially selected game indicia, and wherein the outcome of the occurrence of the wagering game is a predetermined progressive jackpot winning outcome if a pattern on the player's unique game array formed by game indicia on the unique game array matching sequentially selected game indicia matches a predetermined progressive jackpot winning pattern (2:63-68, 4:63-5:7, 5:61-68, 6:18-27, 43-65, 9:49-10:23).

Regarding Claims 3, 12, 21, 28, 35, and 44:

A method for conducting a wagering game and an associated progressive jackpot in accordance with claim 2,

- wherein the outcome of the occurrence of the wagering game is a predetermined progressive jackpot winning outcome if the player matches the predetermined progressive

Art Unit: 3714

jackpot winning outcome within a predetermined maximum number of sequentially selected game indicia (2:63-68, 4:63-5:7, 5:61-68, 6:18-27, 43-65, 9:49-10:65).

Regarding Claims 4, 13, 22, and 36:

A method for conducting a wagering game and associated progressive jackpot in accordance with claim 1,

- comprising subtracting the progressive jackpot wager amount from the player's available credit (4:19-20, 46-56, 5:39-55, 6:43-47); Although Marnell does not recite the exact language, Marnell inherently subtracts the amount of a player's wager and the progressive amounts, otherwise, Marnell would not operate as intended.

Regarding Claims 5, 14, and 37:

A method for conducting a wagering game and associated progressive jackpot in accordance with claim 1,

- comprising subtracting the progressive jackpot wager amount from the credits subtracted from the player's available credit (4:19-20, 46-56, 5:39-55, 6:43-47); Although Marnell does not recite the exact language, Marnell inherently subtracts the amount of a player's wager and the progressive amounts, otherwise, Marnell would not operate as intended.

Regarding Claims 6, 15, 29, 38, and 45:

A method for conducting a wagering game and associated progressive jackpot in accordance with claim 1,

- wherein the progressive jackpot wager amount is equal to a predetermined fixed wager amount (5:37-50).

Regarding Claims 7, 16, 23, 30, 39, and 46:

Art Unit: 3714

A method for conducting a wagering game and associated progressive jackpot in accordance with claim 1,

- wherein the progressive jackpot wager amount is equal to a predetermined percentage of the player's wager for the occurrence of the wagering game (5:37-50). This feature is inherent to the wager in the game. That is, if a maximum bet is required in order to play for the progressive jackpot, then the predetermined amount is equal to a predetermined percentage of the maximum wager input by the player.

Regarding Claims 8, 17, 24, 31, 40, and 47:

A method for conducting a wagering game and associated progressive jackpot in accordance with claim 1,

- comprising displaying graphics corresponding to an outcome of the player's progressive jackpot wager at the gaming unit if the player's wager is greater than or equal to the minimum wager amount (2:63-68, 4:63-5:7, 5:61-68, 6:18-27, 43-65, 9:49-10:23).

Regarding Claims 9, 18, 25, 32, 41, and 48:

A method for conducting a wagering game and associated progressive jackpot in accordance with claim 1,

- wherein the minimum wager amount is equal to the maximum wager that the player may make for an occurrence of the wagering game (5:37-50). The minimum wager amount that is required to play for the progressive prize may be the maximum wager required to play the slot machine game.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (571) 272-4438. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott E. Jones/
Primary Examiner
Art Unit 3714

SEJ